

Remarks

Discussion of the Claims

The amended claims submitted herewith contain amended independent claims 1 and 7, as well as claim 15 directed to use of an online ordering system.

The Amendment of the aforementioned claims is based on the ability of the inventive online ordering system for food outlets to display a start page to the user. The start page is designed appropriately for a target group, or specifically for a target group, respectively. This feature is disclosed in the English translation of the application documents filed under PCT. The according translation filed discloses this feature in the second paragraph of page 3, and found in the documents filed with the USPTO on November 3, 2005. In those documents, the feature is disclosed in paragraph [0013] on page 4. Paragraph [0013] refers to paragraph [0012], also on page 4.

Accordingly, the following features are introduced into independent claim 1 to define the inventive online ordering system for food outlets:

“wherein the ordering system is adapted to display a start page to the user depending on a chosen accessible address within the at least one domain of the computer system, which start page being designed appropriately for a target group or specifically for a target group”

The corresponding features are introduced into method claim 7, as follows:

“wherein in response to an accessible address of the computer system chosen a start page depending on a chosen accessible address within the at least one domain of the computer system is displayed to the user, which start page being designed appropriately for a target group or specifically for a target group”.

Claim 15, also amended, includes the corresponding feature as follows:

“wherein the ordering system is adapted to display a start page to the user depending on a chosen accessible address within the at least one domain of the computer system, which start page being designed appropriately for a target group or specifically for a target group”

Since features adopted into independent claims during examination proceedings do not appear to have been helpful in achieving a granted patent, these features have been included in newly introduced claims 29 to 32, depending on amended independent claims 1 and 7. In particular, the following feature is included: “whereby said system is adapted to send a message to the food outlet with the suggestion to check said fax machine if there are problems in the transmission of the order to the food outlet”. This refers to a confirmation of fax transmission (included in new dependent claim 30) directed to an online ordering system and into new method claim 32, depending on amended independent method claim 7.

Other features included in the submission of 4/23/2009 were as follows:

“wherein said system is adapted to display various categories of food, wherein said system is adapted to receive a user input of a specific category of the categories of food displayed, and

wherein said system is adapted to respond to the user input on the basis of the stored data on the food outlets and to display the food outlets which offer the category of food selected”

and

“display of various categories of food by said system,

user input of a specific category of the categories of food displayed, and response of said system to the user input on the basis of the stored data on the food outlets and display of the food outlets which offer the category of food selected” (included in new claim 29 and method claim 31, depending on method claim 7, respectively).

In parallel (in the submission of 4/23/2009), formerly independent method claim 11 was amended to a claim depending on claim 7 and defining a feature related to:

“display of price categories of the food outlets,
user input of a specific category of the price categories displayed, and
response of said system to the user input on the basis of the stored data on the food outlets and display of the food outlets which fall into the price categories selected.”

Novelty and Inventive Activity

Subject matter of the amended system and method claims, as well as subject matter of independent claim 15, defining the use of an online ordering system are novel.

Features of adapting the ordering system to display a start page to the user depending on a chosen accessible address of the computer system, which start page being designed appropriately for a target group or specifically for a target group is not included in the documents of prior art cited.

The advantage of this new and inventive procedure according to the present invention is based on a provision of different categories of food to various target groups. By relating a single address of the at least one domain address of the computer system to a particular group having individual requirements for food, a large number of different people can easily be reached. For instance, it would be advantageous to relate one

address to school-children ordering dairy products. Another address could be related to freelance workers ordering coffee and sandwiches. Finally, craftsmen wanting to eat meat and drink beer could be associated with still another address, particularly offering the food associated with that particular group of people.

Such a procedure is not described in the prior art cited and is also not obvious based upon the prior art cited.

Camaisa and Cupps do not disclose a provision of a start page designed for a particular target group.

Applicant cannot see how the teaching of Cupps (or any other documents cited) might be used to develop the online ordering system or to propose the respective method of operating an online ordering system without an inventive activity. Therefore, subject matter of amended independent claims 1, 7 and 15 are new and inventive.

Applicant believes that the current submission places the claims in condition for allowance.

A two-month extension of time in which to respond to the outstanding Office Action is hereby requested. Credit Card Payment Form PTO-2038 is enclosed to cover the prescribed Small Entity two-month extension fee of \$245, and 4 additional dependent claims in excess of 20 (\$104), for a total of \$349 to be charged to the credit card.

Further consideration and allowance of the claims is respectfully requested.

Respectfully submitted,



M. Robert Kestenbaum

Reg. No. 20,430

11011 Bermuda Dunes NE Albuquerque, NM 87111

Phone (505) 323-0771

Fax (505) 323-0865

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on 02/01/2010 and is addressed to Mail Stop Amendment with Fee, Attention Art Unit 3625, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Laurie Kestenbaum